

0510.33 Evaluation Procedure – Pre Award

Issued October 31, 2007

SUBJECT: Evaluation Procedure – Pre Award

APPLICATION: Executive branch departments and sub-units.

PURPOSE: To provide a description of the steps to be completed during the evaluation phase of a competitive solicitation.

CONTACT AGENCY: Department of Management and Budget (DMB)
Business Services Administration
Purchasing Operations (PurchOps)

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SUMMARY: These procedures apply to evaluation of competitive solicitations for all commodities, general and professional services, and information technology products and services under the jurisdiction of PurchOps. These procedures are mandatory for executive branch departments unless specifically provided otherwise by statute.

Definition: For the purpose of these procedures, the terms “bid,” or “bidder,” applies to the solicitation responses/responders resulting from a Quote or an Invitation to Bid (ITB), while the term “vendor” refers to responders to a Request for Proposal (RFP).

Evaluations fall into one of the following process types:

- Agency Buyer evaluation
- PurchOps Buyer evaluation
- PurchOps Buyer with Agency Buyer evaluation
- PurchOps Buyer with Agency Buyer & Program Manager evaluation
- PurchOps Buyer-Chaired Joint Evaluation Committee (JEC)
- PurchOps Buyer-Chaired JEC Evaluation with Price Team evaluation

as applied to the published award recommendation process (each of which has an accompanying clause with regard to the opening of pricing) of one of the following types:

- Lowest responsive and responsible bidder
- Lowest bid passing minimum scoring threshold
- Best value responsive and responsible vendor
- Best value vendor passing minimum requirements
- Best value vendor passing minimum scoring threshold

and including one of the following possible price evaluation clauses:

- Prices for all responsive and responsible bidders opened
- Prices for bidders passing minimum requirements opened
- Prices for bidders passing minimum scoring threshold opened
- Prices for all responsive and responsible Vendors opened
- Prices for vendors passing minimum requirements opened
- Prices for vendors passing minimum scoring threshold opened

All unopened prices will remain sealed, and submitting bidder/vendor will be given the option to collect them unopened, or they will be destroyed after a specified period of time.

Regardless of the selected evaluation, award recommendation and price evaluation methods, the processes published in the quote/ITB/RFP are the processes which must be followed.

APPLICABLE FORMS AND PROCESSES: Published ITB/RFP (Articles 1 – 4) with all addendums
Bidder/Vendor responses
Civil Service Annual Conflict of Interest Disclosure
Confidentiality Statement
Disclosure Statement
JEC Invite Letter Template
Evaluation Summary/Synopsis Templates
Oral Presentation / Clarification Process/Templates
MAIN Electronic Documents & Processes:
• Invitation to Bid-ITB (PCHL2311) with all attachments and addendums
DMB PurchOps Procedures & Policy Letters:
• Signature Authority Letter
• PurchOps Internal Procedures for Evaluation
• Procurement Definitions Document
Procurement Documentation:
• Evaluation Checklist
• Cost Over Estimate Approval (10%)
• Contract Folder Tab 3

APPROVALS: Agency & PurchOps: Internal approvals must be obtained and documented according to agency policies and procedures, including provisions surrounding delegated and signature authority.

PROCEDURES:

Agency:

- Follows department procurement policies and procedures, recognizing that the policies and procedures of the delegating authority supersede those of the department in the event of a conflict.
- Fulfills all agency responsibilities as laid out within the procurement plan developed in the bid processing phase with the PurchOps buyer (see procedure 0510.32 Statement of Work).
- Reviews, completes, and signs confidentiality and disclosure statements, returning them to the PurchOps buyer prior to obtaining any submitted proposal or bid response materials.
- Abides by the terms of the confidentiality and disclosure statements, offering alternative reviewers in the event a conflict of interest becomes apparent, and/or the PurchOps buyer requests an alternate(s).
- If the procurement falls within the department's delegated authority, completes the evaluation internally in accordance with the published process.
- Otherwise, actively participates in evaluation team composition determined by the evaluation process published within the solicitation, and as applied by the PurchOps buyer, objectively and without bias or favoritism.
- Obtains additional approvals which may become necessary as a result of the evaluation conclusions, i.e. modified CS-138 or cost-over-estimate approvals.

PurchOps:

- Fulfills all PurchOps responsibilities as laid out within the procurement plan developed in the bid processing phase (see procedure 0510.32 Statement of Work).
- Keeps the department informed of all progress throughout the process and all issues that arise, amending procurement plan as necessary in cooperation with agency customer.
- PurchOps buyer collects all signed confidentiality and disclosure statements from agency staff expected to participate in the evaluation whether in an advisory capacity, or as a voting participant prior to distribution of any vendor response materials.
- Completes the evaluation according to the evaluation, award recommendation, and price evaluation processes published within the solicitation. If the published process includes evaluation by a JEC, the PurchOps buyer chairs the JEC and is responsible for ethical conduct along with documentation of all committee proceedings and actions (see procedure 0510.34 Joint Evaluation Committee).
- Regardless of the process(es) identified, the PurchOps Buyer maintains responsibility for ensuring a fair and objective evaluation, measuring each response against the published criteria, scoring consistently and equitably across all respondents, and documenting results of all processes utilized (see procedure 0510.35 Award Recommendation).
- If clarification processes and/or oral presentations are allowed and needed, the buyer will seek the clarification from, and schedule oral presentations with, one or more bidders as necessary to complete the evaluation. Clarifications may be technical, pricing, or combination in nature. Clarifications must be documented within the solicitation file. For information technology (IT) projects valued at over \$1 million, oral presentations are required.
- In some cases the Best and Final Offer (BAFO) process may be necessary. In these cases the buyer will work collaboratively with the agency to draft deficiency reports, document the needed specification modifications, and complete the BAFO process.
- If the selected bid or proposal exceeds department's estimated cost by greater than 10%, obtains approval from the requesting department to proceed with the award. If this occurs, the Agency may have to obtain an amended CS-138 (see procedure 0510.35 Award Recommendation). This approval may be given in the form of an email message, memo, or letter from the agency budget or finance representative, or designee given the authority by the department to commit the additional funds.
- According to Signature Authority Letter, obtains and secures all necessary internal reviews, sign-offs, and approvals (see procedure 0510.35 Award Recommendation).
- Documents the results of each phase of the solicitation process, including the evaluation summary, JEC synopsis and voting member sign-off, quote results, clarification and BAFO results, reviews, approvals and any other processes called for within policy and/or the published solicitation document.
- Places all documentation of the evaluation process in the appropriate bid folder/contract folder tab for future reference and use.

AUTHORITY: Relevant Acts:

- Public Act 431, of 1984 as amended (Governing Authority)
- Public Act 91, of 2005 (Service Disabled Vet Preference)
- Public Act 237 of 1988 (Reciprocal Preference Table)
- Public Act 112 of 1988 (Persons with Disabilities)

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